

Appl. No. 10/072,582

Reply to Office Action of May 27, 2005

## REMARKS

This Amendment is submitted to supplement Applicants request for continued examination filed on June 22, 2005, in response to the Final Office Action and Advisory Action dated February 22, 2005 and May 27, 2005, respectively. Claims 72-87 are pending in the patent application. Claims 72-87 are rejected under 35 U.S.C. §103 in view of U.S. Patent No. 6,219,045 ("Leahy") and U.S. Patent No. 5,793,365 ("Tang"). At least for the reasons set forth below, Applicants believe that the obviousness rejection has been overcome and thus should be withdrawn.

Of the pending claims at issue, claims 72 and 81 are the sole independent claims. Claim 72 recites a method of controlling an agent. The method includes sending an agent parameter; wherein said agent parameter defines a behavior of an agent; setting a state of said agent to absent state in response to sending the agent parameter; generating said agent parameter if said agent parameter is not returned within a predetermined time period; and modifying the behavior of the agent.

Claim 81 recites a method of controlling an animated electronic pet. The method includes sending a plurality of pet parameters wherein said plurality of pet parameters determine a behavior of an animated electronic pet; setting a state of said animated electronic pet to absent state in response to sending said plurality of pet parameters; generating said plurality of pet parameters if said plurality of pet parameters are not returned within predetermined time period; and modifying the behavior of the animated electronic pet.

As previously discussed, Applicants believe that the cited art, even if combinable, is distinguishable from the claimed invention. For example, the primary Leahy reference is deficient with respect to setting a state of the agent to an absent state in response to sending the agent parameter, and generating said agent parameter if said agent parameter is not returned within a predetermined time period, as even admitted by the Patent Office. See, Office Action, page 3.

Further, Applicants respectfully submit that the combination of the Tang reference fails to make obvious the claimed invention. For example, Tang is directed to providing a gallery of static or video visual representations of selected other members. See, Tang, column 3, lines 32-51; and column 6, lines 14-26. The visual representations of each user is displayed as one of a

Appl. No. 10/072,582  
Reply to Office Action of May 27, 2005

selected icon in a gallery window, or if a computer supports such, the icon may be replaced with live video capture of the user. See, *Id.* Accordingly, the visual representation in Tang is directed to static visual icons or live video capture and not directed to a method of controlling an agent, let alone modifying the behavior of an agent, as an animated electronic pet as required by the claimed invention. Moreover, claim 83 further recites, in part, that the behavior of the virtual agent is continuously modified with each detected event. Therefore, Tang is clearly different from the claimed invention, and thus, even if combinable with Leahy, fails to render obvious the claimed invention for at least these reasons.

Accordingly, Applicants respectfully request that the obviousness rejection with respect to claims 72-87 be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicits reconsideration of same.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Thomas C. Basso  
Reg. No. 46,541  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4310

Dated: June 29, 2005